

**Presbytery of St. Augustine Administrative Commission
Proposal for Gracious Dismissal of St. Johns Presbyterian Church**

As Amended and Approved

October 5, 2021

Fall Stated Meeting - Presbytery of St. Augustine

St. Johns Dismissal Agreement as Amended

Actions and Amendments on October 5:*

The presbytery approved the recommendation of the Administrative Commission (AC) for the St. Johns Presbyterian Church that the presbytery dismiss the St. Johns Presbyterian Church to the Covenant Order of Evangelical Presbyterians (ECO) on the terms contained in the proposal [signed by AC and the session], with the dismissal on December 31, 2021, so that St. Johns will be a congregation of ECO on January 1, 2022. The presbytery will transfer teaching elder Jonathan Lovelady to ECO effective the same day. The AC will be dissolved when the dismissal is complete.

The final action of the presbytery removed the following language in Section IV of the proposal following the sum of \$225,000: "...with the Presbytery retaining \$112,500 of such funds and contributing the remainder to the Life Renewed Counseling Center within 30 days of receiving SJPC's payment and completion of all other closing items. The contribution shall not affect the Presbyter's 2021 support of the Life Renewed Counseling Center."

Introduction

In May 2016, the Session for St. Johns Presbyterian Church (SJPC) notified the Presbytery of St. Augustine (the Presbytery), of which it is a member, of its desire to be dismissed from the Presbyterian Church (U.S.A.) (PCUSA) to another Reformed body. Thereafter a Crisis Response Team (CRT) was appointed by the Presbytery to hear the concerns of the SJPC congregation and to attempt reconciliation. After months of meetings with various groups and members of SJPC, the CRT concluded that reconciliation was not likely and an Administrative Commission (AC) should be appointed to negotiate terms of SJPC's dismissal. The Committee on Ministry recommended the appointment of an AC to the Presbytery, who appointed the AC with delineated powers and jurisdiction referenced in the Presbytery's policies regarding dismissal.

On May 2018, the AC was appointed, and since that time has endeavored to fulfill its fiduciary responsibilities to the Presbytery, the PCUSA, SJPC, and the members of SJPC who wish to remain in the PCUSA. Toward that end, the AC has met with members of the CRT, the SJPC Session, and SJPC's representatives negotiating the dismissal terms. The AC has reviewed the

membership's opinions and input through a 2015 survey of the congregation conducted by SJPC. Separately the AC has diligently reviewed SJPC's financial and property documentation, its minutes from Trustee and Session meetings, and other relevant documents brought to its attention. The AC also separately engaged a property appraiser to value the real property of SJPC and to provide an appraisal report. SJPC has identified the Covenant Order of Evangelical Presbyterians (ECO) as the body to which the church would like to be dismissed.

This proposal for gracious dismissal is the product of the work of the AC and the SJPC Session. Its terms are predicated on the AC's vote for recommended dismissal, which will be made once the results of the Congregational Advisory Vote are known.

I. Congregational Care

During the Discernment Period Regarding Dismissal:

The goal of the Presbytery is to be an agent of pastoral care and reconciliation among its congregations and between congregations and the larger church. The AC's task is to consider the possibility and terms of gracious dismissal from the PCUSA for SJPC. As part of this process, the AC prepared a document which outlines the implications or changes that will occur in many areas of church life for congregations leaving the PCUSA. This information will be made available to the members of SJPC. Leading up to the dismissal and then until the dismissal is fully implemented, all members on the SJPC rolls shall continue to have full access to the AC representing the presbytery.

At the Time of Dismissal and Beyond:

In an effort to fulfill the obligation of pastoral care for all members of SJPC, the AC will ensure that all members on the rolls of SJPC at the time of dismissal shall be made aware of their options, should they not wish to transfer their membership to ECO. A letter created by the AC and SJPC will be sent to each SJPC member by U.S. Mail or email, and the information will be posted on the Presbytery's and SJPC's websites. In addition to outlining the choices that will be available to all who wish to remain members of the PCUSA, the letter and the website will include specific contact information for direct communication with the Presbytery.

For two weeks following dismissal, SJPC will place a notice in its bulletin providing the same information. The SJPC church office will retain Presbytery contact information and make it available without question to any member who asks. SJPC will respectfully and promptly honor any requests for transfers of membership to any PCUSA congregation. SJPC will honor any requests for members' marriage and baptismal records, in perpetuity.

II. Teaching Elders and Staff

Pastor Jonathan Lovelady (installed and employed teaching elder) has stated that he wishes to remain with the Presbytery and serve SJPC as a validated ministry. The AC defers to the Presbytery's Call Commission regarding this request. The dismissal is independent of and not contingent upon any action of the Call Commission.

SJPC shall provide its staff with any information requested regarding how the proposed dismissal might affect their pay, benefits and terms of employment. Employees will be treated with care and respect as they make decisions about whether to remain employed with the congregation during and after the dismissal process.

III. The Congregation's Advisory Vote

The Presbytery's Policy for Gracious Dismissal authorizes the AC to call an advisory vote, provide a moderator and clerk for the advisory vote, and report the results of the congregation's advisory vote to the Stated Clerk of the Presbytery and other appropriate bodies (Presbytery Policy Dismissing Congregations to Other Reformed Bodies #9, III A 1.). Therefore, the AC has the responsibility for this step in the dismissal process.

The advisory vote will take place on a Sunday, and will be held in a dignified, respectful, non-politicized manner, and in no way should impinge on the integrity of the regular Sunday worship services.

Once a date is set, notice of the congregational advisory vote (prepared jointly by the AC and representatives of the SJPC session) shall be given from the pulpit each Sunday for two successive weeks prior to the scheduled date, separately mailed, by U.S. Mail or email, by SJPC to every active member of the congregation, and posted on the church's website as well as the web page set up by the AC. The written notices shall include the dismissal proposal to be voted on, and members will be provided with information on how to contact the AC with any questions concerning the proposal or the vote.

SJPC's customary schedule of worship services shall take place on the morning of the advisory vote. The registration tables will be open from 8:30 to 11:30 a.m. Every member will check in at a registration table to receive an official ballot. The ballot will ask whether the member concurs with the proposal for dismissal and will provide spaces for designating the member's vote as "Yes" or "No." The ballots will be marked "Advisory Vote." Provisional ballots will be issued with a notation thereon for any person requesting a ballot for whom there is a question regarding membership status. All ballots must be returned by 11:30 a.m. A representative of both the AC and SJPC's Session shall be present at the registration tables at all times.

The Clerk of the AC (or his/her designee) and the Clerk of the Session shall be designated as Co-Registrars, whose responsibility shall be to validate the registrations tally and coordinate the counting of the ballots (the AC may appoint additional tellers). The ballots will be collected by members of the AC and brought to a table where they may be counted. Two members of the SJPC Session will be the official observers of the count, and after the votes are tallied, they shall sign as official witnesses to the vote count reached. At the close of the second worship service, an AC Moderator will deliver the results of the advisory vote to the Clerk of the Session. The AC will also deliver the results of the vote to the Stated Clerk of the Presbytery. The AC shall take into account the number of "Yes" and "No" votes as an additional factor in determining whether to recommend dismissal.

IV. Property and Financial Considerations

The AC understands the need for continued financial stability of SJPC to enable the consistent and enhanced activities involved in the care of the congregation, outreach to the community, and mission endeavors. Similarly, it is critical that the Presbytery's responsibilities to member congregations, its missions, and ministries have long-term sustainability.

The AC has conducted its due diligence and engaged in thorough discernment in its assessment of the spiritual and financial considerations relating to the dismissal of SJPC. The AC has also considered the requirements of the property trust clause in the constitution of the PCUSA and its interpretation in decisions of the Permanent Judicial Commission. Based upon this, the AC recommends dismissal of SJPC to ECO on the following financial terms:

SJPC shall pay the Presbytery a lump sum, one-time payment in the amount of \$225,000. In exchange for SJPC's payment, SJPC shall receive title to all of its assets, including, but not limited to, all personal property, real property and improvements thereon, free of any lien or claim of the Presbytery or the PCUSA. The Presbytery shall deliver quit claim deeds to SJPC concerning all real property involved at the time of dismissal and will be conveyed at the time the payment is received.

V. Administrative and Additional Considerations

The following additional matters will be addressed in the final dismissal proposal to be submitted to the congregation and the Presbytery.

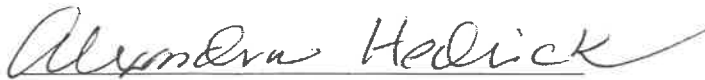
- A. A representation by the SJPC Session now and at the time of the effective date of dismissal that, after full and thorough inquiry, to the best of its knowledge it has disclosed (1) the existence and extent of all of SJPC's real and personal property holdings and other assets and beneficial interests, endowments, receivables, and investments; and (2) all liabilities of every kind, including contingent liabilities, claims and pending and threatened claims and litigation,

- B. A representation by the SJPC Session, to the best of its knowledge, that no disciplinary matters have been filed with the Session that are presently pending, and that there are no such matters that have been threatened to be filed. The Clerk of Session shall verify that no such matters have been filed as of the date of the Advisory Vote and again on the effective date of dismissal.
- C. Should the Presbytery grant dismissal, an entry shall be placed in the Presbytery minutes describing the action taken regarding dismissal, a date of dismissal shall be set that is a Sunday no more than four weeks following the Presbytery's action, so long as ECO has confirmed that it has received the congregation as of that date and all other conditions have taken place, including a meeting and action of the Presbytery Trustees to authorize execution of the deed by a corporate officer. SJPC shall deliver to the Presbytery on or before that date by wire transfer the financial considerations as agreed upon by the Presbytery and SJPC. At the same time, as described in Part IV above and below in section D, the Presbytery shall execute quitclaim deeds as requested by SJPC. The Stated Clerk of the Presbytery shall then issue a letter of ecclesiastical dismissal of SJPC to ECO, with property, effective upon receipt into the ECO as confirmed by a letter of acknowledgment from the ECO to St. Augustine Presbytery. (Such letter from the ECO may be issued in advance, in anticipation of the dismissal.) Both the Presbytery and SJPC shall agree to work cooperatively to complete any administrative details required either by church polity or state law to affect the dismissal.
- D. Subject to the completion of all the conditions contained herein, the Presbytery shall provide to SJPC legal quitclaim deeds for any and all interests it or the PCUSA may have in the real property of SJPC or St. Johns Endowment Trust, whether actual, contingent, express or implied, beneficial, or otherwise. SJPC shall record the deeds within ten (10) business days after receipt, at its own cost and shall provide a copy of the recorded deed to the Presbytery. Additionally, the Presbytery shall execute a release of any and all claims it had or has to any and all personal property owned of SJPC and St. Johns Endowment Trust.
- E. SJPC shall retain the name "St. Johns Presbyterian Church," but shall ensure that all references to the PCUSA are removed, and shall make no claim of membership in the PCUSA.
- F. SJPC shall deliver to the Presbytery within ninety (90) days after the effective date of dismissal all organizational documents and minutes (including exhibits and attachments) of the session, deacons, and any other PCUSA bodies within the church for the time period from 1929 until the date of dismissal. Any questions or problems which arise from the completion of this step will be handled by consulting and in conjunction with the Stated Clerk of the Presbytery.

- G. SJPC will amend its Articles of Incorporation and By-Laws and remove any references to the PCUSA and any PCUSA-related provisions. (These steps may be done in advance, in anticipation of the dismissal, provided they are effective only upon dismissal.) To the best of its knowledge, SJPC does not have any PCUSA property and is not party to any license agreements with the PCUSA.

- H. The Presbytery shall be responsible for notification of the General Assembly and any related/affiliated entities, except where SJPC is required to provide the notification directly. The Presbytery shall remove SJPC from its rolls and from its web-site listing as a member church.


Presbytery Action Taken October 5, 2021



Rev. Alexandra Hedrick - Stated Clerk

Accepted and Agreed as Amended by Session Action
on October 18, 2021

Session of St. Johns Presbyterian Church



By: JOHN A OTTERSON

Its: CLERK OF SESSION